

Remarks

The purpose of this amendment is to insert a specific reference to the two prior co-pending US applications upon which a priority claim is made under Section 120. Failing to claim priority is a recognized error which may be corrected by reissue. See MPEP 1402.

The original application for US patent 6,366,818 was filed on August 23, 1999, under 35 USC 111, claiming priority to Swedish application 9900382, filed February 4, 1999. No claim for priority to two other co-pending US applications by the same inventor was presented in the original application for US patent 6,366,818.

International application PCT/SE98/01417 was filed on July 28, 1998 by the same inventor, and designated the United States. International application PCT/SE98/01417 was published under international publication number WO 99/07315 on February 18, 1999, copy attached. The designation of the United States is shown on the published international application WO 99/07315. Consequently, international application PCT/SE98/01417 has the effect of regular U.S. application filed July 28, 1998, under the authority of 35 USC 363. A Demand for international preliminary examination of international application PCT/SE98/01417 was filed on a timely basis and elected all eligible states, including the United States. A copy of the Demand is attached. Box No. V of the Demand shows the election of all eligible states, which included the United States. By timely filing the Demand, the pendency of international application PCT/SE98/01417 as a U.S. application continued until January 28, 2000, 30 months from the filing date of the priority Swedish application 9702805-4, filed July 28, 1997 upon which priority of the PCT application was based. See 35 USC 371(d). The application for original US patent 6,366,818 was therefore filed during the pendency of international application PCT/SE98/01417 as a US application. The co-pendency which existed between the application for the original US patent 6,366,818 and international application PCT/SE98/01417 permits the present claim for priority under 35 USC 120.

US application Serial No. 08/981,878 was filed on January 6, 1998, and its

pendency was continued until at least March 13, 2000, when it was abandoned for failure to respond to an office action dated December 13, 1999. The application for original US patent 6,366,818 was filed on August 23, 1999, during the pendency of US application Serial No. 08/981,878. Therefore, co-pendency existed between the application for the original US patent 6,366,818 and US application Serial No. 08/981,878, permitting the present claim for priority under 35 USC 120.

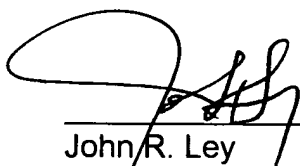
US application Serial No. 08/981,878 was a US national stage application filed from international application PCT/SE96/00800, filed June 28, 1996 and published as WO 97/02794, copy attached. Priority for international application PCT/SE96/00800 is to Swedish application 9502523-5, filed July 7, 1995.

Under 35 USC 120 and 37 CFR 1.78(a)(2)(ii) and 37 CFR 1.78(a)(3), the 4 month and 16 month time periods for presenting a priority claim do not apply to applications filed before November 29, 2000. The original application for US patent 6,366,818 was filed before August 23, 1999. Therefore, it is not believed necessary to submit a petition for unintentional delay of the priority claim or to pay a surcharge as would otherwise be required.

The Examiner is encouraged to telephone the undersigned at any time to discuss issues which will advance the examination of this reissue application.

Respectfully submitted,

3/31/04
Date



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